

**WEDNESDAY, MARCH 23, 1988**

**SEVENTY-THIRD LEGISLATIVE DAY**

The House met at 2:00 PM. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Pastor Jerry Batts, Community Bible Church, Nashville, Tennessee, guest of Representative John Chiles, Jr.

Representative John Chiles, Jr. led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present ..... 95

Representatives present and not voting were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1832, 1952, 1991 and 2210; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**Senate Bill No. 1832** -- Highways, Roads and Bridges -- Adds portion of Alcoa Highway to Scenic Highway System Act of 1971. Amends TCA 54-17-114. (\*HB 1526).

**Senate Bill No. 1952** -- Custody and Support -- Allows other courts to have jurisdiction over child support claim after both parties have moved from jurisdiction of original court. Amends TCA 36-5-101, 103. (\*HB 1612).

**\*Senate Bill No. 1991** -- Collection Agencies -- Revises certain provisions relative to practice of collection services. Amends TCA, Title 62, Ch. 20. (HB 2181).

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**Senate Bill No. 2210 -- Revenue, Dept. of --** Allows commissioner to enter reciprocal agreements with other states to provide fuel use tax registration of certain vehicles. Amends TCA, Title 67, Ch. 3. (\*HB 1990).

### **REGULAR CALENDAR**

**\*House Bill No. 1700 -- Taxes, Hotel Motel --** Authorizes municipalities to levy privilege taxes on hotel occupancy. Amends TCA, Title 67.

Rep. Davis (Cocke) moved that House Bill No. 1700 be reset on the Calendar for Wednesday, April 6, 1988, which motion prevailed.

**\*House Bill No. 1500 -- Workers' Compensation --** Requires certain workers' compensation insurance coverage for certain firefighters. Amends TCA, Titles 50, 56.

Rep. Bivens moved that House Bill No. 1500 be passed on third and final consideration.

Rep. Ellis moved to amend as follows:

#### **Amendment No. 1**

Amend House Bill 1500 by deleting Section 1 in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-6-401(a), is amended by deleting the period at the end thereof and adding the following:

; provided that any such entity offering workers' compensation insurance shall be required to offer medical benefits coverage for paid-on-call and volunteer firefighters.

On motion, the amendment was adopted.

Rep. McAfee moved to amend as follows:

#### **Amendment No. 2**

Amend House Bill No. 1500 by adding the following new sections immediately before the effective date section and numbering the sections accordingly:

SECTION \_\_\_\_ Tennessee Code Annotated, Section 50-6-401(a), is amended by adding the following new sentence at the end thereof:

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An entity offering workers' compensation insurance shall offer coverage for members of rescue squads on similar terms and conditions as coverage available to full-time paid firefighters or emergency medical services personnel.

**SECTION \_\_\_\_.** If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Thereupon, Rep. Bivens moved that House Bill No. 1500, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

|                             |    |
|-----------------------------|----|
| Ayes.....                   | 97 |
| Noes.....                   | 0  |
| Present and not voting..... | 1  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

Representative present and not voting was: Ellis -- 1.

A motion to reconsider was tabled.

**House Bill No. 2042 -- Barbers --** Revises certain provisions relative to the qualifications and licensure of barbers.

On motion, House Bill No. 2042 was made to conform with Senate Bill No. 1766.

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On motion, **Senate Bill No. 1766**, on same subject, was substituted for House Bill No. 2042.

Rep. Robinson (Hamilton) moved passage of Senate Bill No. 1766 on third and final consideration, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes. .... | 98 |
| Noes. .... | 0  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

**House Bill No. 2015 -- Alcoholic Offenses --** Revises proof requirements of prior offenses for repeat DUI offenders. Amends TCA 55-10-403.

Rep. Wood moved that House Bill No. 2015 be passed on third and final consideration, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes. .... | 93 |
| Noes. .... | 0  |

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, U. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

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REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to House Rule No. 31, I wish to express a desire to change my original stand from present and not voting to aye on House Bill No. 1500 and have this statement entered in the Journal.

Rep. Victor Ellis

REGULAR CALENDAR, CONTINUED

\*House Bill No. 1654 -- Insurance, Motor Vehicles -- Provides special provisions on insurance coverage of commercial drivers. Amends TCA, Title 55, Ch. 10, Pt. 3; Title 56, Ch. 7, Pt. 11.

Rep. Hobbs moved that House Bill No. 1654 be passed on third and final consideration, which motion prevailed by the following vote:

|                              |    |
|------------------------------|----|
| Ayes. ....                   | 95 |
| Noes. ....                   | 0  |
| Present and not voting. .... | 1  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

Representative present and not voting was: Coffey -- 1.

A motion to reconsider was tabled.

• House Bill No. 1551 -- Drivers' Licenses -- Prohibits oral driver's license examinations for certain persons. Amends TCA 55-7-107.

Rep. Long moved that House Bill No. 1551 be passed on third and final consideration.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1551 by deleting the period at the end of the amendatory language in Section 1 and by adding the following:

or to any person with a medical condition, certified by a physician, which would render a written examination impractical.

Rep. Long moved that House Bill No. 1551, on motion to adopt Amendment No. 1, be reset on the Calendar for Monday, March 28, 1988, which motion prevailed.

**House Bill No. 1552 -- Municipal Government --** Authorizes certain municipal elections to be held with November general election. Amends TCA, Title 6, Ch. 1.

Rep. Long moved that House Bill No. 1552 be passed on third and final consideration, which motion prevailed by the following vote:

|           |    |
|-----------|----|
| Ayes..... | 97 |
| Noes..... | 0  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

**House Bill No. 1952 -- Auctions and Auctioneers --** Excludes auctioneers from paying tax on moneys received from seller for advertising costs.

Rep. Clark moved that House Bill No. 1952 be passed on third and final consideration.

Rep. Bivens moved to amend as follows:

Amendment No. 1

Amend House Bill 1952 by deleting Section 2 in its entirety.

AND FURTHER AMEND by deleting the period at the end of Section 1 and by adding the following language:

and when such payment has been placed in an escrow or a trust account by the auctioneers on behalf of the seller.

On motion, the amendment was adopted.

Thereupon, Rep. Clark moved that House Bill No. 1952, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes. .... | 96 |
| Noes. .... | 2  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifah, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

Representatives voting no were: Chiles, Scruggs -- 2.

A motion to reconsider was tabled.

\*House Bill No. 1383 -- Traffic Safety -- Requires certain trailers to have safety chains. Amends TCA, Title 55, Ch. 11.

On motion, House Bill No. 1383 was made to conform with Senate Bill No. 1539.

On motion, Senate Bill No. 1539, on same subject, was substituted for House Bill No. 1383.

Rep. Scruggs moved that the Senate Bill No. 1539 be passed on third and final consideration.

Rep. Head moved to amend as follows:

**Amendment No. 1**

Amend House Bill No. 1383 by adding the following new language to the amendatory language of Section 1:

The provisions of this section shall not apply to the operation of any trailer, semi-trailer, pole trailer, wagons or other equipment used by the owner in connection with the agricultural pursuits usual and normal to the owner's farming operations, such as transportation of products and materials used by the owner in the production, cultivation, growing, harvesting or marketing of agricultural commodities if a safety pin or latch pin is used in the operation of such vehicle; provided, however, that this exemption shall not apply to such vehicles when they are operated on any highway of the interstate and defense highway system.

Rep. Scruggs moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes. .... | 51 |
| Noes. .... | 38 |

Representatives voting aye were: Bewley, Bivens, Bushing, Byrd, Chiles, Coffey, Copeland, Davidson, Davis (Knox), DeBerry, Dixon, Ellis, Frensley, Gaia, Good, Harrill, Hassell, Herron, Holcomb, Holt, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, Miller, Moore (Shelby), Nance, Odom, Peroulas, Pruitt, Purcell, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Wood -- 51.

Representatives voting no were: Bell, Bragg, Buck, Burnett, Cain, Collier, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), DePriest, Duer, Hawkins, Head, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jones, U. (Shelby), Lawson, Long, Montgomery, Moore (Lawrence), Naifeh, Napier, Ridgeway, Robinson (Washington), Stafford, Turner (Hamilton), Ussery, Winningham, Wix, Wolfe, Yelton, Mr. Speaker Murray -- 38.

Rep. Buck moved to amend as follows:

**Amendment No. 2**

in Section 1 by adding in the amendatory language before the words "capable of maintaining" the word "reasonably".

On motion, the amendment was adopted.

Rep. Robinson (Davidson) moved to amend as follows:



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**Amendment No. 3**

Amend House Bill No. 1383 by deleting the three sentences added to Section 1 by the second part of Senate amendment #1, and by substituting instead the following:

The provisions of this section shall not apply to farm implements used in tillage, harvesting, or seeding, if such implements were not equipped at the time of manufacture with safety chains and if such implements are being towed on state or local roads at a speed of less than twenty-five (25) miles per hour, except this exemption shall not apply to farm trailers. The responsibility for providing safety chains for trailers rented, leased, or loaned to farmers by persons customarily doing so for the haulage of farm supplies or crops shall be with the person so renting, leasing, or loaning the trailer. The provisions of this act shall also not apply to any motor vehicle with an attached gooseneck type trailer or semitrailer with a fifth wheel.

On motion, the amendment was adopted.

Thereupon, Rep. Scruggs moved that Senate Bill No. 1539, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

|           |    |
|-----------|----|
| Ayes..... | 77 |
| Noes..... | 17 |

Representatives voting aye were: Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Drew, Duer, Ellis, Frenley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Holcomb, Holt, Hurley, Huskey, Jackson, Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Shelby), Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Rhinehart, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Webb, West, Whitson, Wood, Yelton, Mr. Speaker Murray -- 77.

Representatives voting no were: Bell, Davidson, DeBerry, Head, Hobbs, Ivy, Jared, Jones, R. (Shelby), Moore (Lawrence), Naifeh, Ridgeway, Turner, L. (Shelby), Ussery, Wheeler, Winningham, Wix, Wolfe -- 17.

• A motion to reconsider was tabled.

**House Bill No. 1907 -- Education --** Provides for conduct of pilot program as class scheduling.

Rep. Starnes moved that House Bill No. 1907 be passed on third and final consideration.

Rep. Starnes moved to amend as follows:

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**Amendment No. 1**

Amend House Bill No. 1907 by adding the following new section immediately before the effective date section and numbering the sections accordingly:

**SECTION \_\_.** The program shall not require any teacher to have more students in a classroom than is required for compliance with the standards for accreditation by the Southern Association of Colleges and Schools.

In the implementation of this program, if a teacher has an additional class in the same subject matter, no additional preparation time shall be required by the program.

On motion, the amendment was adopted.

Thereupon, Rep. Starnes moved that House Bill No. 1907, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

|                              |    |
|------------------------------|----|
| Ayes .....                   | 96 |
| Noes .....                   | 1  |
| Present and not voting ..... | 1  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

Representative voting no was: Copeland -- 1.

Representative present and not voting was: McAfee -- 1.

• A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

**MR. SPEAKER:** Pursuant to **House Rule No. 31**, I wish to express a desire to change my original stand from no to aye on Amendment No. 9 of House Bill 1483 (March 16, 1988) and have this statement entered in the Journal.

Rep. Ray Davis

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**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 1391 -- Liens -- Increases fees for filing hospital liens.**  
Amends TCA 29-22-103, 105.

On motion, House Bill No. 1391 was made to conform with Senate Bill No. 1507.

On motion, **Senate Bill No. 1507**, on same subject, was substituted for House Bill No. 1391.

Thereupon, Rep. Starnes moved that Senate Bill No. 1507, be passed on third and final consideration, which motion prevailed by the following vote:

|           |    |
|-----------|----|
| Ayes..... | 84 |
| Noes..... | 8  |

Representatives voting aye were: Bell, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Napier, Odom, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 84.

Representatives voting no were: Bewley, Chiles, Harrill, Holcomb, Nance, Shirley, Stafford, Wolfe -- 8.

A motion to reconsider was tabled.

**House Bill No. 1910 -- Election Laws -- Authorizes absentee voting by mail in certain circumstances.** Amends TCA 2-6-102.

Rep. Starnes moved that House Bill No. 1910 be re-referred to the Calendar and Rules Committee, which motion prevailed.

**\* House Bill No. 1911 -- Election Laws -- Removes requirement of physician certification for certain absentee voting.** Amends TCA 2-6-102.

Rep. Starnes moved that House Bill No. 1911 be re-referred to the Calendar and Rules Committee, which motion prevailed.

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**House Bill No. 2214 -- Divorce and Annulment --** Removes requirement that judges equitably divide marital property upon request of parties prior to determination of support and maintenance obligations. Amends TCA 36-4-121.

On motion, House Bill No. 2214 was made to conform with Senate Bill No. 2275.

On motion, **Senate Bill No. 2275**, on same subject, was substituted for House Bill No. 2214.

Rep. Clark moved passage of Senate Bill No. 2275 on third and final consideration, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes. .... | 96 |
| Noes. .... | 0  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 2422 -- Public Property --** Authorizes new procedures for resolution of protested bids. Amends TCA 12-3-214.

Rep. Burnett moved that House Bill No. 2422 be passed on third and final consideration, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes. .... | 95 |
| Noes. .... | 0  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley,

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Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

**House Bill No. 1496** -- Criminal Offenses -- Penalizes misuse of highway funds by road superintendent. Amends TCA, Title 54, Ch. 7.

Further consideration of House Bill No. 1496, previously considered on Wednesday, March 16, 1988, at which time Amendment No. 1 to No. 1 was adopted and motion was made to adopt Amendment No. 1, as amended.

Rep. Bivens moved to amend as follows:

**Amendment No. 1**

Amend House Bill 1496 by deleting the language of Section 1 following ":", and by substituting instead the following:

**SECTION \_\_.** Any theft by a chief administrative officer, either directly or indirectly, of any county highway or road money, shall be a felony, and, upon conviction, shall be punished by imprisonment in the penitentiary for any time not less than three (3) years nor more than twenty (20) years.

(b) If any chief administrative officer charged with the collection, safekeeping, transfer, or disbursement of money or property belonging to the county highway department, shall use or divert any part of said money or property by loan, investment, or otherwise, without authority of law, or convert any part thereof to his own use in any way whatever, he is guilty of embezzlement, and for every such act, upon conviction, shall be punished as in case of larceny, and fined in a sum equal to the money embezzled, to be applied in satisfaction thereof.

On motion, Amendment No. 1 as amended, was adopted.

Rep. Buck moved to amend as follows:

**Amendment No. 2**

Amend House Bill No. 1496 by deleting the first paragraph of the amendatory language of Section 1, as amended, and by substituting instead the following:

**SECTION \_\_.**(a)(1)Any theft by a chief administrative officer, either directly or indirectly, of more than one thousand dollars (\$1,000) of county highway or road money, shall be a felony, and, upon conviction, shall be punished by imprisonment in the penitentiary for any time not less than three (3) years nor more than twenty (20) years.

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(2)Any theft by a chief administrative officer, either directly or indirectly, of one thousand dollars (\$1,000) or less of county highway or road money, shall be a misdemeanor, and, upon conviction, shall be punished by confinement for not more than one (1) year.

On motion, the amendment was adopted.

Thereupon, Rep. Bivens moved that House Bill No. 1496, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes. .... | 93 |
| Noes. .... | 0  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Yelton -- 93.

A motion to reconsider was tabled.

**\*House Bill No. 2148** -- Public Records -- Designates official animal health certificates confidential. Amends TCA, Titles 4, 10, 43, 44.

Rep. Ivy moved that House Bill No. 2148 be passed on third and final consideration, which motion prevailed by the following vote:

|                              |    |
|------------------------------|----|
| Ayes. ....                   | 93 |
| Noes. ....                   | 0  |
| Present and not voting. .... | 1  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford,

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Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representative present and not voting was: Holcomb -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 2147 -- Livestock --** Directs commissioner to perform certain duties relative to development of equine industry. Amends TCA, Titles 4, 43, 44.

Rep. Ivy moved that House Bill No. 2147 be passed on third and final consideration.

Rep. Stallings moved to amend as follows:

**Amendment No. 1**

Amend House Bill No. 2147 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

On motion, the amendment was adopted.

Rep. Ivy moved to amend as follows:

**Amendment No. 2**

Amend House Bill No. 2147 by deleting from the third sentence of the amendatory language of Section 1 the word "racing".

On motion, the amendment was adopted.

Thereupon, Rep. Ivy moved that House Bill No. 2147, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

|                             |    |
|-----------------------------|----|
| Ayes.....                   | 94 |
| Noes.....                   | 1  |
| Present and not voting..... | 1  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon,

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Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

Representative voting no was: Shirley -- 1.

Representative present and not voting was: Nance -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 1127 -- Partnerships --** Revises certain provisions concerning limited partnerships. Amends TCA, Title 61, Ch. 2.

Rep. Dixon moved that House Bill No. 1127 be reset on the Calendar for Monday, March 28, 1988, which motion prevailed.

**\*House Bill No. 2056 -- Correctional Programs --** Enacts "Development District Correction Act".

On motion, House Bill No. 2056 was made to conform with Senate Bill No. 2293.

On motion, **Senate Bill No. 2293**, on same subject, was substituted for House Bill No. 2056.

Rep. Dixon moved passage of Senate Bill No. 2293 on third and final consideration, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes. .... | 94 |
| Noes. .... | 0  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlée, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.



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**House Bill No. 2365 -- Occupational Licenses and Licensing Boards --** Revises licensing fees for private protective service companies. Amends TCA, Title 62, Ch. 35.

Rep. Robinson (Davidson) moved that House Bill No. 2365 be passed on third and final consideration.

Rep. Tanner moved to amend as follows:

**Amendment No. 1**

Amend House Bill No. 2365 by deleting the schedule figures contained in subsection (b) of Section 1 and by substituting instead the following:

|          |       |
|----------|-------|
| under 25 | \$100 |
| 26-50    | 250   |
| over 50  | 500   |

AND FURTHER AMEND in Section 2 by deleting the schedule figures contained therein and by substituting instead the following:

|          |       |
|----------|-------|
| under 25 | \$ 50 |
| 26-50    | 125   |
| over 50  | 250   |

AND FURTHER AMEND by redesignating Section 3 to be Section 5 and by adding Sections 3 and 4 as follows:

SECTION 3. Tennessee Code Annotated, Section 62-35-107, is further amended by adding a new subsection thereto, as follows:

( ) An application shall be accompanied by a notarized statement sworn to by the applicant as to the number of employees in service. Making a false statement shall be punishable by a civil penalty of five hundred dollars (\$500) and assessment of the maximum application fee.

SECTION 4. Tennessee Code Annotated, Section 62-35-110, is further amended by adding a new subsection thereto, as follows:

( ) A renewal application shall be accompanied by a notarized statement sworn to by the applicant as to the number of employees in service. Making a false statement shall be punishable by a civil penalty of two hundred fifty dollars (\$250) and assessment of the maximum renewal fee.

On motion, the amendment was adopted.

Thereupon, Rep. Robinson (Davidson) moved that House Bill No. 2365, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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|           |    |
|-----------|----|
| Ayes..... | 95 |
| Noes..... | 0  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

**House Bill No. 1892** -- Custody and Support -- Authorizes court to consider child's preference on modification of certain child custody orders. Amends TCA 36-6-102.

On motion, House Bill No. 1892 was made to conform with Senate Bill No. 1583.

On motion, **Senate Bill No. 1583**, on same subject, was substituted for House Bill No. 1892.

Rep. Bushing moved passage of Senate Bill No. 1583 on third and final consideration, which motion prevailed by the following vote:

|           |    |
|-----------|----|
| Ayes..... | 96 |
| Noes..... | 0  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

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**\*House Bill No. 1776** -- Correction, Dept. of -- Directs Department of Correction to change name of Fort Pillow State Prison.

Rep. Crain moved that House Bill No. 1776 be passed on third and final consideration, which motion prevailed by the following vote:

|                              |    |
|------------------------------|----|
| Ayes. ....                   | 93 |
| Noes. ....                   | 0  |
| Present and not voting. .... | 1  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representative present and not voting was: Naifeh -- 1.

A motion to reconsider was tabled.

**House Bill No. 1643** -- Insurance, Credit Life -- Redefines "domestic life insurance company"; establishes certain requirements for such companies. Amends TCA 56-2-102; Title 56, Ch. 4, 56-4-205.

On motion, House Bill No. 1643 was made to conform with Senate Bill No. 1514.

On motion, **Senate Bill No. 1514**, on same subject, was substituted for House Bill No. 1643.

Rep. Tanner moved that Senate Bill No. 1514 be passed on third and final consideration.

Rep. Tanner moved to amend as follows:

**Amendment No. 1**

Amend Senate Bill No. 1514 by changing the date in the second sentence of the amendatory language of Section 3 from "March 1" to "April 1", and inserting immediately following such date the following words and symbols:

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, which, notwithstanding the provisions of Section 56-1-501, shall also be the date on or before which such insurer's annual statement shall be filed,

On motion, the amendment was adopted.

Thereupon, Rep. Tanner moved that Senate Bill No. 1514, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes. .... | 94 |
| Noes. .... | 0  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

**House Bill No. 2038** -- Education -- Makes possession of electronic pager violation of School Security Act of 1981. Amends TCA, Title 49, Ch. 6, Pt. 42.

Rep. U. Jones (Shelby) moved that House Bill No. 2038 be reset on the Calendar for Monday, March 28, 1988, which motion prevailed.

**\*House Joint Resolution 0468** -- Finance and Administration, Dept. of -- Requests department to study feasibility of better utilizing computerization and communications to enhance delivery of social services.

Rep. Pruitt moved that House Joint Resolution No. 468 be reset on the Calendar for Monday, March 28, 1988, which motion prevailed.

**House Bill No. 1784** -- Television, Cable -- Regulates granting of cable TV franchises. Amends TCA, Title 7, Ch. 59.

On motion, House Bill No. 1784 was made to conform with Senate Bill No. 1953.

On motion, **Senate Bill No. 1953**, on same subject, was substituted for House Bill No. 1784.

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Rep. Tanner moved that the Senate Bill No. 1953 be passed on third and final consideration.

Rep. Tanner moved to amend as follows:

**Amendment No. 1**

Amend Senate Bill No. 1953 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

This act shall not affect any franchise request filed in an area with an existing franchise prior to the effective date of this act.

On motion, the amendment was adopted.

Thereupon, Rep. Tanner moved that Senate Bill No. 1953, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

|                             |    |
|-----------------------------|----|
| Ayes.....                   | 92 |
| Noes.....                   | 0  |
| Present and not voting..... | 1  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

Representative present and not voting was: Drew -- 1.

A motion to reconsider was tabled.

**House Bill No. 1909 -- Election Laws -- Broadens eligibility for absentee voting by mail. Amends TCA 2-6-102.**

On motion, House Bill No. 1909 was made to conform with Senate Bill No. 1687.

On motion, **Senate Bill No. 1687**, on same subject, was substituted for House Bill No. 1909.

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Rep. Starnes moved that the Senate Bill No. 1687 be passed on third and final consideration.

Rep. Starnes moved to amend as follows:

**Amendment No. 1**

Amend Senate Bill No. 1687 by adding the following language at the end of the amendatory language of Section 1:

or multiple residential facility with separate living units which has as part of its requirements that residents must be handicapped or be over the age of sixty-two (60).

On motion, the amendment was adopted.

Thereupon, Rep. Starnes moved that Senate Bill No. 1687, as amended, be passed on third and final consideration.

Rep. Ellis moved the previous question.

Rep. Chiles objected to the previous question, which then failed by the following vote:

|                              |    |
|------------------------------|----|
| Ayes. ....                   | 60 |
| Noes. ....                   | 30 |
| Present and not voting. .... | 1  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Ellis, Frensley, Gaia, Garrett, Head, Herron, Hillis, Hobbs, Holt, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Long, Love, Miller, Moody, Moore (Lawrence), Naifeh, Odom, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Winningham, Wix, Mr. Speaker Murray -- 60.

Representatives voting no were: Chiles, Copeland, Davis (Cocke), Davis (Knox), Drew, Duer, Good, Harrill, Hassell, Hawkins, Henry, Holcomb, Hurley, Kisher, Lawson, May, McAfee, Montgomery, Moore (Shelby), Nance, Peroulas, Shirley, Stallings, Swann, Tanner, Turner, C. (Shelby), Ussery, Williams, Wolfe, Wood -- 30.

Representative present and not voting was: Yelton -- 1.

Rep. Miller moved the previous question.

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Rep. Chiles objected to the previous question, which failed by the following vote:

|                              |    |
|------------------------------|----|
| Ayes. ....                   | 53 |
| Noes. ....                   | 35 |
| Present and not voting. .... | 1  |

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Head, Herron, Hillis, Hobbs, Holt, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kernell, Kisber, Long, Miller, Moore (Lawrence), Naifeh, Napier, Odom, Purcell, Rhinehart, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, L. (Shelby), West, Wheeler, Whitson, Winningham, Wix, Mr. Speaker Murray -- 53.

Representatives voting no were: Bewley, Chiles, Coffey, Drew, Duer, Good, Harrill, Hassell, Hawkins, Henry, Holcomb, Hurley, May, McAfee, Montgomery, Moody, Moore (Shelby), Nance, Peroulas, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Swann, Tankersley, Turner, C. (Shelby), Ussery, Webb, Williams, Wolfe, Wood, Yelton -- 35.

Representative present and not voting was: Robinson (Hamilton) -- 1.

Rep. Copeland moved to amend as follows:

**Amendment No. 2**

Amend Senate Bill No. 1687 by deleting the following language from the end of the amendatory language of Section 1:

"or multiple residential facility with separate living units which has as part of its requirements that residents must be handicapped or be over the age of sixty-two (62)".

and by substituting instead the following:

The provisions of this act shall apply only to such institutional or residential homes which have as part of their requirements that the residents thereof be handicapped or over the age of sixty-two (62).

\* On motion, the amendment was adopted.

Thereupon, Rep. Starnes moved that Senate Bill No. 1687, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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|                             |    |
|-----------------------------|----|
| Ayes.....                   | 85 |
| Noes.....                   | 6  |
| Present and not voting..... | 1  |

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Garrett, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 85.

Representatives voting no were: Bewley, Chiles, Good, Montgomery, Scruggs, Webb -- 6.

Representative present and not voting was: Yelton -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 2058 -- Election Laws --** Revises certain absentee voting procedures in counties which maintain certain voter records on computer. Amends TCA, Title 2, Ch. 6, Pt. 1.

Rep. Dixon moved that the House Bill No. 2058 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

**Amendment No. 1**

Section 2 is amended by adding the following language at the end of the Section:

In those counties in which computerized duplicate registration records are used, the attesting official shall update the voter's computerized voter history by making the appropriate date entry.

Section 3 is amended by deleting the last sentence in the amendatory language and by substituting instead the following:

However, if computerized duplicate registration records are used, such signature comparison shall be made to the written request for an application and either the voter's permanent registration record or a microfilmed copy of the voter's signature as shown on such permanent registration record.



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Section 4 is amended by deleting the amendatory language in its entirety and by substituting instead the following:

However, if computerized duplicate registration records are used, such signature comparison shall be made to the written request for an application and either the voter's permanent registration record or a microfilmed copy of the voter's signature as shown on such permanent registration record.

Section 5 is amended by adding the following language at the end of the Section:

In those counties in which computerized duplicate registration records are used, the registrar shall update the voter's computerized voter history by making the appropriate date entry.

Section 6 is amended by adding the following language at the end of the Section:

In those counties in which computerized duplicate registration records are used, the attesting official shall update the voter's computerized voter history by making the appropriate data entry.

Section 7 is amended by adding the following language at the end of the Section:

In counties in which computerized duplicate permanent registration records are used, the county election commission shall deliver to the counting board a printed list, arranged by precinct, of those voters who voted or requested an absentee ballot.

Section 8 is amended by deleting the Section in its entirety and by substituting instead the following:

"Section 8 Tennessee Code Annotated, Section 2-6-118(a)(1), is amended by deleting the punctuation "." at the end of the fourth sentence and by substituting instead the following:

", even if such registration record is contained on microfilm or other computerized storage medium."

On motion, the amendment was adopted.

Thereupon, Rep. Dixon moved that House Bill No. 2058, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

|           |    |
|-----------|----|
| Ayes..... | 95 |
| Noes..... | 0  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Joint Resolution 0612 -- Memorials, Personal Achievement -- Honors Sharon Melton on election as VICA national president.

House Joint Resolution 0613 -- Memorials, Public Service -- Honors J. R. Hill on selection as chairman of Employers' National Job Service.

House Joint Resolution 0614 -- Memorials, Congratulations -- Honors Cecil C. Hill on fifty years as grocer in Tipton County.

House Joint Resolution 0615 -- Memorials, Professional Achievement -- Honors Dr. Susan Wu for outstanding achievement in aerospace and energy development engineering.

Rep. Kisber moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes. .... | 92 |
| Noes. .... | 0  |

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Pruitt,

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Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

**HOUSE ACTION ON SENATE AMENDMENTS**

**House Bill No. 1866** -- County Officers -- Revises duties, procedures and fees concerning office of register. Amends TCA 8-21-1001; Title 10, Ch. 7, Pt. 2; Title 66; Title 67, Ch. 5, Pt. 25. Repeals TCA 66-21-105, 108, 66-25-105--114.

**Senate Amendment No. 4**

Including the following provision at the end of Sections 1, 2, 3, 4 and 5:

"Provision of this Section shall not be applicable to counties in excess of 700,000 population as calculated in the 1980 census."

**Senate Amendment No. 5**

Amend House Bill No. 1866 by inserting the following new section immediately before the effective date section and numbering subsequent sections accordingly:

**SECTION \_\_\_\_.** The provisions of Sections 1, 2, 3, 4, and 5 of this act shall not apply to counties of the first class as defined in Tennessee Code Annotated, Section 8-24-101, having a metropolitan form of government and the provisions of law establishing such fees in effect on June 30, 1988, shall continue in effect in such counties as if the same were re-enacted herein.

**Senate Amendment No. 7**

Amend House Bill No. 1866 by deleting Sections 15 and 16 adding the following new sections:

**SECTION 15.** Tennessee Code Annotated, Section 66-5-108(e), is amended by deleting item (6) and by renumbering the remaining items accordingly.

**SECTION 16.** Tennessee Code Annotated, Section 66-5-108, is amended by deleting subsection (f) in its entirety and by substituting instead the following:

(f) Upon the filing of the statement of claim as provided in subsection (c), the register shall record the same in a book to be kept for that purpose which shall be known as the "Dormant Mineral Interest Record" and shall enter in the index where the instrument creating the original mineral interest is indexed a notation referencing the statement of claim.

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Upon the filing of the order as provided in subsection (e)(4), the register shall record the order in the Dormant Mineral Interest Record and shall enter the filing of the order in the indexes referencing the instrument creating the original mineral interest and the instrument creating the interest of the current surface owner.

Rep. Miller moved that the House concur in Senate Amendments Nos. 4, 5 and 7, which motion prevailed by the following vote:

|                              |    |
|------------------------------|----|
| Ayes .....                   | 89 |
| Noes .....                   | 0  |
| Present and not voting ..... | 2  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 89.

Representatives present and not voting were: Buck, Long -- 2.

A motion to reconsider was tabled.

### UNFINISHED BUSINESS

### BILLS RE-REFERRED

Rep. Odom moved that the Speaker re-refer House Bill No. 1582 to the Conservation and Environment Committee, which motion prevailed.

### CONFERENCE COMMITTEE APPOINTED

Pursuant to Rule No. 73, Representative Wheeler moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 616, which motion prevailed.

The Speaker appointed Reps. Napier, Wheeler and West to the Conference Committee.

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**BILLS WITHDRAWN**

On motion of Rep. Bragg, House Bill No. 1730 was recalled from the Finance, Ways, and Means Committee.

On motion of Rep. Bragg, House Bill No. 1730 was withdrawn from the House.

On motion of Rep. Bragg, House Bill No. 1744 was recalled from the Finance, Ways and Means Committee.

On motion of Rep. Bragg, House Bill No. 1744 was withdrawn from the House.

On motion of Rep. Starnes, House Bill No. 2464 was recalled from the Clerk's desk

On motion of Rep. Starnes, House Bill No. 2464 was withdrawn from the House.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No. 2273; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**NOTICE TO ACT ON SENATE AMENDMENTS**

Pursuant to Rule No. 59, the sponsors gave notice of intent to consider the following measures from the Senate on Thursday, March 24, 1988:

House Bill No. 1438: Rep. Buck.

House Bill No. 1859: Rep. Scruggs.

House Bill No. 2273: Rep. Moore (Shelby).

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.: 405, 407 and 412; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Senate Joint Resolution 0405 -- Memorials, Condolence -- Honors memory of John E. Sloan, Sr.

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**Senate Joint Resolution 0407** -- Memorials, Condolence -- Honors memory of Elizabeth Prater Spain.

**Senate Joint Resolution 0412** -- Memorials, Condolence -- Honors memory of Herbert Myers.

**RULES SUSPENDED**

Rep. Swann moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 412 out of order, which motion prevailed.

**Senate Joint Resolution 0412** -- Memorials, Condolence -- Honors memory of Herbert Myers.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Swann, the resolution was concurred in.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Long moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 619 out of order, which motion prevailed.

**House Joint Resolution 0619** -- Memorials, Sports -- Honors Coach Charlene Mason and Beech High School girls' basketball team.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Long, the resolution was adopted.

A motion to reconsider was tabled.

**RULES SUSPENDED**

\* Rep. Moody moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 407 out of order, which motion prevailed.

**Senate Joint Resolution 0407** -- Memorials, Condolence -- Honors memory of Elizabeth Prater Spain.

On motion, the rules were suspended for the immediate consideration of the resolution.

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On motion of Rep. Moody, the resolution was concurred in.

A motion to reconsider was tabled.

### **RULES SUSPENDED**

Rep. Chiles moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 405 out of order, which motion prevailed.

**Senate Joint Resolution 0405** -- Memorials, Condolence -- Honors memory of John E. Sloan, Sr.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Chiles, the resolution was concurred in.

A motion to reconsider was tabled.

### **SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1383: Rep. Peroulas added as a prime sponsor.

House Bill No. 1913: Rep. Yelton added as a prime sponsor.

House Bill No. 2234: Rep. Webb added as a prime sponsor.

House Bill No. 2368: Reps. Bragg and Yelton added as prime sponsors.

### **INTRODUCTION OF RESOLUTIONS**

**House Resolution No. 0108** -- Memorials, Personal Achievement -- Honors talented young model Kristian Marie Farrell. by \*Purcell.

The Speaker referred House Resolution No. 108 to the Calendar and Rules Committee.

**\*House Joint Resolution 0620** -- General Assembly, Statement of Intent Or Position -- Establishes priorities and policies for use of legislative parking facilities. by \*Ussery.

The Speaker referred House Joint Resolution No. 620 to the State and Local Government Committee.

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**\*House Joint Resolution 0622** -- Memorials, Government Officials -- Directs Department of Conservation to study feasibility of constructing golf course at Cedars of Lebanon State Park. by \*Bell.

The Speaker referred House Joint Resolution No 622 to the Conservation and Environment Committee.

**House Joint Resolution 0623** -- Memorials, Professional Achievement -- Honors Roger Radel, recipient of Torch Bearer's Award. by \*Davis R E, \*Huskey, \*McAfee.

The Speaker referred House Joint Resolution No. 623 to the Calendar and Rules Committee.

**House Joint Resolution 0624** -- Memorials, Personal Achievement -- Honors Stephanie Clark for outstanding achievement. by \*Ellis.

The Speaker referred House Joint Resolution No. 624 to the Calendar and Rules Committee.

**\*House Joint Resolution 0625** -- General Assembly, Studies -- Continues special joint legislative committee on employment training created by HJR 658 of 94th General Assembly. by \*Kernell, \*Ellis, \*Phillips, \*Henry J, \*Davis J K, \*Davis R E.

The Speaker referred House Joint Resolution No. 625 to the Labor and Consumer Affairs Committee.

**House Joint Resolution 0626** -- Memorials, Public Service -- Honors Eddie Pen for outstanding contributions to Tennessee economy. by \*Davis J K.

The Speaker referred House Joint Resolution No. 626 to the Calendar and Rules Committee.

**\*House Joint Resolution 0627** -- Memorials, Government Officials -- Requests department of health and environment to study recycling of solid waste. by \*Davis J K.

The Speaker referred House Joint Resolution No. 627 to the Conservation and Environment Committee.

**\*House Joint Resolution 0628** -- General Assembly, Studies -- Creates special joint committee to study recycling of solid waste. by \*Davis J K.

The Speaker referred House Joint Resolution No. 628 to the Conservation and Environment Committee.

**House Joint Resolution 0629** -- Memorials, Sports -- Honors Coach Alvin Taylor and Gibbs High School baseball team on outstanding season. by \*Davis J K.

The Speaker referred House Joint Resolution No. 629 to the Calendar and Rules Committee.



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**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

**Senate Joint Resolution 0392** -- Memorials, Sports -- Honors Tennessee Sports Hall of Fame 1988 honorees.

The Speaker referred Senate Joint Resolution No. 392 to the Calendar and Rules Committee.

**Senate Joint Resolution 0396** -- Memorials, Personal Achievement -- Congratulates David Gladson for winning flag design contest.

The Speaker referred Senate Joint Resolution No. 396 to the Calendar and Rules Committee.

**Senate Joint Resolution 0398** -- Memorials, Professional Achievement -- Honors Hugh "Hicks" Horne on career as projectionist.

The Speaker referred Senate Joint Resolution No. 398 to the Calendar and Rules Committee.

**Senate Joint Resolution 0404** -- Memorials, Condolence -- Honors memory of Mabel Linville Akers.

The Speaker referred Senate Joint Resolution No. 404 to the Calendar and Rules Committee.

**INTRODUCTION OF BILLS**

**House Bill No. 2478** -- Taxes, Hotel Motel -- Authorizes government hotels to charge occupancy tax. Amends Chapter 25, Private Acts of 1987. by \*Jackson.

Passed first consideration.

**\*House Bill No. 2479** -- Child Abuse -- Elevates certain deaths that are result of pattern of child abuse to first degree murder. by \*Hurley, \*Moody, \*Yelton, \*Cross, \*Davis J K, \*Montgomery, \*Holcomb.

Passed first consideration.

**\*House Bill No. 2480** -- Cookeville -- Establishes procedure for filling vacancies on city council and what shall constitute a vacancy. Amends Chapter 223, Private Acts of 1961, as amended. by \*Jared.

Passed first consideration.

**House Bill No. 2481** -- Nuclear Materials, Transportation and Safety -- Requires notice to PSC when transporting nuclear fuels; imposes penalties for violation of safety code. Amends TCA, Title 68. by \*Kernell.

Passed first consideration.

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**SENATE BILLS ON FIRST CONSIDERATION**

**\*Senate Bill No. 1738** -- Motor Vehicles, Titling and Registration -- Held on the Clerk's desk pending third consideration of the companion House Bill No. 1528.

**Senate Bill No. 1755** -- Motor Vehicles -- Held on the Clerk's desk pending third consideration of the companion House Bill No. 1494.

**Senate Bill No. 1832** -- Highways, Roads and Bridges -- Held on the Clerk's desk pending third consideration of the companion House Bill No. 1526.

**Senate Bill No. 1952** -- Custody and Support -- Held on the Clerk's desk pending third consideration of the companion House Bill No. 1612.

**\*Senate Bill No. 1991** -- Collection Agencies -- Held on the Clerk's desk pending third consideration of the companion House Bill No. 2181.

**\*Senate Bill No. 2052** -- Education -- Held on the Clerk's desk pending third consideration of the companion House Bill No. 2039.

**Senate Bill No. 2210** -- Revenue, Dept. of -- Held on the Clerk's desk pending third consideration of the companion House Bill No. 1990.

**\*Senate Bill No. 2246** -- Corporations, Not for Profit -- Held on the Clerk's desk pending third consideration of the companion House Bill No. 2482.

**\*Senate Bill No. 2270** -- Agriculture and Horticulture -- Held on the Clerk's desk pending third consideration of the companion House Bill No. 2120.

**\*Senate Bill No. 2295** -- Municipal Government -- Held on the Clerk's desk pending third consideration of the companion House Bill No. 2106.

**\*Senate Bill No. 2400** -- Sunset Laws -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2393.

**HOUSE BILLS ON SECOND CONSIDERATION**

**House Bill No. 2475** -- Taxes -- Passed second consideration and referred to the Commerce Committee.

**\*House Bill No. 2476** -- Hospitals and Health Care Facilities -- Passed second consideration and referred to the General Welfare Committee.

**House Bill No. 2477** -- White Bluff -- Passed second consideration and held on the Clerk's desk.

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**REPORTS FROM STANDING COMMITTEES**

**AGRICULTURE**

MR. SPEAKER: Your Committee on Agriculture begs leave to report that we have carefully considered and recommend for concurrence Senate Joint Resolution No. 206.

STALLINGS, Chairman.

Under the rules, Senate Joint Resolution No. 206 was transmitted to the Committee on Calendar and Rules.

**COMMERCE**

MR. SPEAKER: Your Committee on Commerce begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1782, 2305 (with amendment), 2347 (with amendment) and 2388.

We further recommend that, pursuant to House Rule No. 72, House Bill No. 2234 (with amendment) be referred to the Committee on Finance, Ways and Means.

TANNER, Chairman.

Under the rules, House Bills Nos. 1782, 2305 (with amendment), 2347 (with amendment) and 2388 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 72, the Speaker referred House Bill No. 2234 (with amendment) to the Committee on Finance, Ways and Means.

**CONSERVATION AND ENVIRONMENT**

MR. SPEAKER: Your Committee on Conservation and Environment begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1666 (with amendment), 1748 and 2316 (with amendment).

HILLIS, Chairman.

Under the rules, House Bills Nos. 1666 (with amendment), 1748 and 2316 (with amendment) were transmitted to the Committee on Calendar and Rules.

**EDUCATION**

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1837 (with amendments), 2339, 2340, 2081, 1785, 1940 and 1929; recommend for adoption House Joint Resolution Nos. 483 and 452.

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We further recommend that, pursuant to **House Rule No. 72**, House Bills Nos. 1521, 2239 (with amendment), 2341 and 1490 be referred to the Committee on Finance, Ways and Means.

DAVIDSON, Chairman.

Under the rules, House Bills Nos. 1785, 1837 (with amendment), 1929, 1940, 2081, 2339, and 2340; and House Joint Resolution No. 452 and 483 were transmitted to the Committee on Calendar and Rules.

Pursuant to **House Rule No. 72**, the Speaker referred House Bill Nos. 1490, 1521, 2239 (with amendment), and 2341 to the Committee on Finance, Ways and Means.

**FINANCE, WAYS AND MEANS**

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 108, 439 (with amendment), 1374, 1497 (with amendment), 1625, 1746 (with amendment), 1886, 2276 (with amendment), 2326 and 2416.

BRAGG, Chairman.

Under the rules, House Bills Nos. 108, 439 (with amendment), 1374, 1497 (with amendment), 1625, 1746 (with amendment), 1886, 2276 (with amendment), 2326 and 2416 were transmitted to the Committee on Calendar and Rules.

**GOVERNMENT OPERATIONS**

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1412, 1423 (with amendments), 1603 (with amendments), 1606 (with amendments) and 2393.

KING, Chairman.

Under the rules, House Bills Nos. 1412, 1423 (with amendments), 1603 (with amendments), 1606 (with amendments) and 2393 were transmitted to the Committee on Calendar and Rules.

**JUDICIARY**

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1329, 1723 (with amendment), 1783 (with amendment), 2089, 2092 (with amendment), 2094, 2136, 2137, 2138 (with amendment), 2140, 2141 (with amendment), 2142 (with amendment), 2143 (with amendment), 2378, 2380 and 2382.

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We further recommend that, pursuant to **House Rule No. 72**, House Bill No. 1828 (with amendment) and 2139 be referred to the Committee on Finance, Ways and Means.

BUCK, Chairman.

Under the rules, House Bills Nos. 1329, 1723 (with amendment), 1783 (with amendment), 2089, 2092 (with amendment), 2094, 2136, 2137, 2138 (with amendment), 2140, 2141 (with amendment), 2142 (with amendment), 2143 (with amendment), 2378, 2380 and 2382 were transmitted to the Committee on Calendar and Rules.

Pursuant to **House Rule No. 72**, the Speaker referred House Bills Nos. 1828 (with amendment) and 2139 to the Committee on Finance, Ways and Means.

### **LABOR AND CONSUMER AFFAIRS**

MR. SPEAKER: Your Committee on Labor and Consumer Affairs begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 132 (with amendments), 1452 and 1460.

We further recommend that, pursuant to **House Rule No. 72**, House Bill No. 2289 be referred to the Committee on Finance, Ways and Means.

ELLIS, Chairman.

Under the rules, House Bills Nos. 132 (with amendment), 1452 and 1460 were transmitted to the Committee on Calendar and Rules.

Pursuant to **House Rule No. 72**, the Speaker referred House Bill No. 2289 to the Committee on Finance, Ways and Means.

### **STATE AND LOCAL GOVERNMENT**

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1510, 1704 (with amendment), 1808, 2053 (with amendment), 2258 (with amendment).

\* We further recommend that, pursuant to **House Rule No. 72**, House Bill No. 1399 be referred to the Committee on Finance, Ways and Means.

MILLER, Chairman.

Under the rules, House Bills Nos. 1510, 1704 (with amendment), 1808, 2053 (with amendment) and 2258 (with amendment) were transmitted to the Committee on Calendar and Rules.

Pursuant to **House Rule No. 72**, the Speaker referred House Bill No. 1399 to the Committee on Finance, Ways and Means.

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### **TRANSPORTATION**

**MR. SPEAKER:** Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 150 (with amendment), 1494, 1528, 2076 and 2243; and recommend for adoption House Joint Resolution Nos. 583, 594, 595, 596, 597, 598 (with amendment), 599 and 600.

We further recommend that House Bill No. 2232 be referred to the Committee on Agriculture.

We further report that House Bill No. 1895 (with amendment) was considered but failed to pass.

**ROBINSON, Chairman.**

Under the rules, House Bills Nos. 150 (with amendment), 1494, 1528, 2076 and 2243; and House Joint Resolution Nos. 583, 594, 595, 596, 597, 598 (with amendment), 599 and 600 were transmitted to the Committee on Calendar and Rules.

The Speaker referred House Bill No. 2232 to the Committee on Agriculture.

### **REPORT OF DELAYED BILLS COMMITTEE**

The undersigned members of the Delayed Bills committee have approved the following bill: House Bill No. 2484.

**Speaker Murray**  
**Rep. Naifeh**  
**Rep. Chiles**

### **MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill No. 2371; also, Senate Joint Resolution No. 391; both for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
**Chief Clerk.**

### **REPORT OF CHIEF ENGROSSING CLERK**

**MR SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1017, 1482, 1535, 1561, 1717, 1742, 1752, 2298, 2362 and 2427; and House Joint Resolutions Nos. 579, 580 and 582; for his action.

**BETTY KAY FRANCIS,**  
**Chief Engrossing Clerk.**

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**SIGNED**

The Speaker announced that he had signed the following: Senate Bill No. 2371; Senate Joint Resolution No. 391.

**ENROLLED BILLS**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1543, 1741, 1766, 1805, 1813, 1976, 2150, 2203 and 2428; House Resolutions Nos. 104, 105, 106 and 107; and House Joint Resolutions Nos. 426, 585, 586, 588, 590, 591, 592, 603 and 610; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**ENGROSSED BILLS**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1500, 1552, 1654 and 2015; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**ENGROSSED BILLS**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 1952; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**ENGROSSED BILLS**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 1907; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

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**ENGROSSED BILLS**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1496, 2147, 2148 and 2422; and find same correctly engrossed and ready for transmission to the Senate.

**BETTY KAY FRANCIS,**  
Chief Engrossing Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 1543, 1741, 1766, 1805, 1813, 1976, 2150, 2203 and 2428; House Resolutions Nos. 104, 105, 106 and 107; and House Joint Resolutions Nos. 426, 585, 586, 588, 590, 591, 592, 603 and 610.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No. 1792; substituted for Senate Bill on same subject, amended, and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No. 1966; substituted for Senate Bill on same subject, amended, and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**ENGROSSED BILLS**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1776, 2058, 2365; and House Joint Resolutions Nos. 612, 613, 614, 615 and 619; and find same correctly engrossed and ready for transmission to the Senate.

**BETTY KAY FRANCIS,**  
Chief Engrossing Clerk.



**WEDNESDAY, MARCH 23, 1988 -- SEVENTY-THIRD LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 621; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1543, 1741, 1766, 1805, 1813, 1976, 2150, 2203 and 2428; also, House Joint Resolutions Nos. 426, 585, 586, 588, 590, 591, 592, 603 and 610; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 954, 1353, 1416, 1453, 1483, 1484, 1498, 1606, 2146, 2180, 2181, 2187, 2191 and 2239; also, Senate Joint Resolutions Nos. 400, 401 and 402; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.: 370, 408, 409, 410 and 416; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

\*Senate Joint Resolution 0370 -- Memorials, Government Officials -- Requests recommendations on restructuring Department of Health and Environment.

Senate Joint Resolution 0408 -- Memorials, Recognition and Thanks -- Commends Tony Cates, 1988 intern.

Senate Joint Resolution 0409 -- Memorials, Recognition and Thanks -- Commends Richard Sprouse 1988 legislative intern.

**WEDNESDAY, MARCH 23, 1988 -- SEVENTY-THIRD LEGISLATIVE DAY**

**Senate Joint Resolution 0410 -- Memorials, Recognition and Thanks --**  
Commends Lonna Kilgore, 1988 Senate page.

**Senate Joint Resolution 0416 -- Memorials, Public Service -- Honors David**  
Crockett Post 1618 of VFW on fiftieth anniversary.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1748 and 1929; both passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**\*Senate Bill No. 1748 -- Motor Vehicles, Titling and Registration -- Changes**  
certain requirements for registering or obtaining licenses for certain motor vehicles.  
Amends TCA 55-4-111, 116, 117.

**Senate Bill No. 1929 -- Drugs -- Provides for drug testing of students.**  
Amends TCA, Title 49, Ch. 6.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following additional bills and/or resolutions on the calendar for Thursday, March 24, 1988: House Bills Nos. 1779, 1978, 1990, 2249, 1743 and 1954.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
CONSENT CALENDAR**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following measures on the Consent Calendar for Thursday, March 24, 1988: House Resolution No. 108; House Joint Resolutions Nos. 623, 624, 626, 629; Senate Joint Resolutions Nos. 392, 396, 398 and 404.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills and/or resolutions on the calendar for Monday, March 28, 1988: House Bills Nos. 1965, 1663, 1564, 2201, 2103, 2419, 2086, 1791, 2292, 1787, 1671, 1913, 2355, and 2121.

PHILLIPS, Chairman.

**WEDNESDAY, MARCH 23, 1988 -- SEVENTY-THIRD LEGISLATIVE DAY**

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**MR. SPEAKER:** Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills and/or resolutions on the calendar for Wednesday, March 30, 1988: House Bills Nos. 1598, 1401, 2157, 1970, 1727, 1544, 2372, 2373, 1932 and 1583.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**MR. SPEAKER:** Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills and/or resolutions on the calendar for Thursday, March 31, 1988: House Bills Nos. 2336, 2001, 2396, 1832, 2425, 1428, 1602 and House Joint Resolution No. 562.

PHILLIPS, Chairman.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 96

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

On motion of Rep. Naifeh, the House adjourned until 9:00 A.M. Thursday, March 24, 1988.